

Felony ☒ JUDGE/Assigned Trial  
 Minor Offense ☐ MAGISTRATE 8509  
 Other Misdemeanor ☐ 1085 District Office 4  
 Disp./Sentence 1-27-76

U. S. vs. HOLMES, CHARLES EDWARD, JR.  
 Rt. 1, Box 302-363  
 Kellyville, Ok 74039 defendant

Case Filed Day, Mo. 7 1  
 Yr. 76-  
 Docket No. CR-2  
 Def. 1

## I. CHARGES

U. S. CODE SECTION  
 26:5861(d)

OFFENSES PH:247-6444  
 Possession of unregistered firearms

COUNTS

2

MAGR. CASE NO. 75-307M

## BAIL • RELEASE

☐ Personal Recog.  
☐ Unsecured Bond  
☐ Conditional Release  
 Set (000) \$ 25  
 12-18-75 date  
☒ Bail Not Made  
☒ Bail Status Changed (See Docket)  
☐ 10% Deposit  
☐ Surety Bond  
☐ Collateral  
☐ 3rd Party Custody  
☐ PSA  
☒ Cash

## Deft.'s atty:

John Street, Ret. PH: 582-9220  
 Denver Bldg., Tulsa 74119

U.S. Attorney or Asst.

Ben F. Baker, Ass't.

Defense ☒ CJA, ☐ Ret; ☐ Waived, ☐ Self, ☐ None ☐ Other, ☐ LPD, ☐ CD  
 Dan R. Kramer PH: 583-1338  
 1110 Fourth National Bank Bldg.  
 Tulsa, Okla. 74119

## ATTORNEYS

## II. KEY INTERVALS &amp; DATES

## ARREST

12-18-75  
 U.S. Custody  
 Began on Above  
 Charges  
 12-18-75

☐ High Risk  
 Defn. &  
 Date Design'd

☐ Prosecution DeferredINDICTMENT ☒

1-7-76

Information ☐  
 Waived ☐  
 Superseding  
☐ Indict/Info

## ARRAIGNMENT

1-15-76

1st Plea  
 " "  
 Final Plea

Trial Set For

☐ Not Guilty  
☐ Nolo  
☒ Guilty  
☐ Not Guilty  
☐ Nolo  
☐ Guilty

## TRIAL

Voir Dire ☐

Trial Began ☐ J  
☐ N  
 Trial Ended

## SENTENCE

1-27-76

Disposition

☒ Convicted  
☐ Acquitted  
☐ Dismissed  
☐ Nollo/Discontinued\*  
☒ On All Charges  
☐ On Lesser\*  
 Offense(s)  
☐ WOP; ☐ WP\*  
☐ Cash

## III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME
	Return			12-18-75	MLB 850a	<input type="checkbox"/> Dismissed <input type="checkbox"/> Held for District GJ <input checked="" type="checkbox"/> Held to Answer to U. S. District Court AT: Magistrate's Initials ▶ MLB
Summons	Issued			PRELIMINARY EXAMINATION OR REMOVAL HEARING	Date Scheduled 12-30-75 Date Held 12-30-75 <input type="checkbox"/> Waived <input checked="" type="checkbox"/> Not Waived <input type="checkbox"/> Intervening Indictment	
Arrest Warrant	Served	12-17-75	MLB 850a	Tape No. 75-307M	INITIAL/No. MLB 850a	
COMPLAINT		12-17-75	MLB 850a			
OFFENSE (In Complaint)				Possession of illegal firearms not registered		

\* Show last names and suffix numbers of other defendants on same indictment/information

## V. Excludable Delay

(a) (b) (c) (d)

1975  
DATE

## PROCEEDINGS

12-18 Initial hearing before MLB, Mag. Bail fixed \$25,000 cash.  
 12-30 On recommendation of U. S. Attorney, bail reduced to \$10,000 cash.  
 1976  
 1-7 Record vote of grand jury, filed in open court. rm  
 1-7 Indictment, filed in open court. Bond fixed at \$25,000(10%) (AEB-J)rm  
 1-8 Case set for arraignment for 1/15/76 at 10 a.m.(AEB-J)rm-nt.  
 1-15-76 Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indict. Deft. placed under oath. Deft. advised of charge, & enters plea of GUILTY to Cts. 1 & 2 & is adjudged GUILTY as charged. Deft. waives jury; waiver signed & filed in open Court. Indict. read. Bond reduced to \$5,000, 10%. Sentence set for 1-27-76, 10:00 A.M. Pre-sentence report ordered. (AEB-J)b  
 1-15 Appearance bond in amt. \$5,000 10%, filed w/order specif. methods & conditions of release. b

## IV. MAGISTRATE &amp; DISTRICT COURT DOCKET ENTRIES

DATE 1976	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1-27-76	<p>represent &amp; represent. Govt. Case called for sentencing. Deft. &amp; Counsel asked if they have anything to say before sentence is pronounced.</p> <p>JUDGMENT &amp; SENTENCE - CHARLES EDWARD HOLMES, JR.</p> <p>Ct. 1 - Atty. Gen. Treatment &amp; supervision until discharged by Fed. YCA 5010(b). Ct. request 90 days progress report also Ct. recommends halfway house.</p> <p>Ct. 2 - Imposition of sentence suspended &amp; Deft. is placed on probation for period of three (3) years to follow incarceration in ct. (1). Deft. remanded to custody of U. S. Marshal. Bond Exonerated. (AEB-J)t</p> <p>1-27-76 Judgment &amp; Commitment, filed &amp; Entered. (AEB-J)t</p> <p>1-27-76 Two c/c of J &amp; C to USM.t</p> <p>1-27-76 Two c/c of J &amp; C to Prob.t</p> <p>2-17-76 J&amp;C, ret. &amp; filed: deft. delivered to Fed. Reform., El Reno, Ok. 2-10-76. g</p> <p>5-3-76 Order modifying sentence imposed 1-27-76, filed &amp; entered:</p> <p>Ct. 1: Imposition of sentence is suspended</p> <p>Ct. 2: Imposition of sentence suspended and deft. placed on probation for a period of 3 yrs, pursuant to 18 USC 5010(a). It is the intent of this Order that deft. Charles Edward Holmes, Jr. be released from custody on 5-5-76, as the deft. does not need commitment. (AEB-J)g (cc to Warden, cp to USM &amp; Prob. Office.)</p> <p>7-30 Order, filed, that bond posted in amt. of \$500.00 be refunded to C. E. Homes, Sr. (AEB-J)b cps mld</p>				
		(a)	(b)	(c)	(d)
		Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days

## LETTER CODES

For Identifying  
Periods of Exclud-  
able Delay Per 18  
U.S.C. 3161(h)

A. Examination or  
hearing for  
mental or  
physical in-  
capacity (18  
U.S.C. 4244).

B. NARA Exam-  
ination (28  
U.S.C. 2902).

C. State or Federal  
trials on other  
charges.

D. Interlocutory  
Appeals.

E. Hearings on  
pretrial motions.

F. Transfers from  
other districts  
(per F.R.Cr.P.  
Rules 20, 21  
& 40).

G. Defendant Motion is actually  
under advisement. Period of  
up to 30 days  
is excludable  
per  
3161(h)(1)(G).

H. Miscellaneous  
Proceedings:  
Probation or  
Parole revoca-  
tion, Deporta-  
tion,  
Extradition.

I. Prosecution de-  
ferred by  
mutual agree-  
ment.

M. Unavailability  
of defendant  
or essential  
witness.

N. Period of men-  
tal or physical  
incompetence  
of defendant to  
stand trial.

O. Period of  
NARA Com-  
mitment or  
Treatment.

P. Superseding  
indictment  
and/or new  
charges.

R. Defendant  
awaiting trial  
of Co-defen-  
dant when no  
severance has  
been granted.

T. Continuances  
Granted per  
3161(h)(8)  
(i.e. ends of  
justice or com-  
plexity of case  
outweighs def-  
endants'  
interests).

U. Time between  
guilty plea and  
plea with-  
drawal.

V. Time while  
moving prisoner  
from state insti-  
tutions per  
transfer/  
detainer pro-  
cedure.

W. Grand Jury in-  
dictment ex-  
tended per  
3161 (b).

Y. Any delay ex-  
cluded by court  
order for reasons  
not included  
above.